

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

ATTY.'S DOCKET: SOLOMON2B.2

|                                   |   |                         |
|-----------------------------------|---|-------------------------|
| In re Application of:             | ) | Conf. No.: 9533         |
|                                   | ) |                         |
| Beka SOLOMON et al.               | ) | Art Unit: 1649          |
|                                   | ) |                         |
| Appln. No.: 10/749,522            | ) | Examiner: K. A. Ballard |
|                                   | ) |                         |
| Filed: January 2, 2004            | ) | Washington, D.C.        |
|                                   | ) |                         |
| For: AGENTS AND COMPOSITIONS AND  | ) | October 15, 2007        |
| METHODS UTILIZING SAME USEFUL     | ) |                         |
| IN DIAGNOSING AND/OR TREATING ... | ) |                         |

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
Randolph Building, Mail Stop AF  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated \_\_, of the Primary Examiner. The claims appealed are claims 7-11 and 25-34.

The item(s) checked below are appropriate:

       Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XX The fee has been calculated as shown below:

XX \$510.00

       \$255.00 (small entity)

       Not required (fee paid in prior appeal)

XX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[ ] First - \$ 60.00

[ ] Second - \$230.00

[ ] Third - \$525.00

month after time period set

[ ] Less fees (\$\_\_\_\_\_) already paid for \_\_ months extension of time on .

Other Than Small Entity

Response Filed Within

[ ] First - \$ 120.00

[ ] Second - \$ 460.00

[ ] Third - \$1050.00

month after time period set

XX Credit Card Payment, is attached, authorizing the amount of \$ 510.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

Respectfully submitted,  
BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

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